

Senate Bill No. 1341

CHAPTER 720

An act to amend Sections 10004 and 10004.5 of, and to add Section 10004.6 to, the Water Code, relating to water.

[Approved by Governor September 25, 2000. Filed
with Secretary of State September 27, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1341, Burton. Water resources.

Under existing law, the Department of Water Resources operates the State Water Project and exercises specified water planning functions. Existing law requires the department to update The California Water Plan, which is a plan for the conservation, development, and use of the water resources of the state, every 5 years.

This bill would require the department to update The California Water Plan on or before December 31 2003, and every 5 years thereafter. The bill would require the department to provide written notice to interested persons of meetings of a prescribed advisory committee that assists the department in updating The California Water Plan. The bill would require the department to include in the California Water Plan a discussion of the potential for alternative water pricing policies, as prescribed.

The bill would require the department, as part of updating The California Water Plan, to conduct a study to determine the amount of water needed to meet the state's future needs and to recommend programs, policies, and facilities to meet those needs, as prescribed. The bill would require the department, by January 1, 2002, and one year prior to issuing each successive update to The California Water Plan, to release a preliminary draft of the assumptions and estimates upon which the study will be based. The bill would make related findings and declarations.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) A long-term, reliable supply of water is essential to protect and enhance California's natural resources and economic climate.

(b) While the Department of Water Resources has projected that Californians will experience chronic water shortages in the future, the Legislature has heard credible testimony from a number of

different interest groups calling into question the accuracy of those estimates.

(c) Without credible and accurate estimates of water supply needs, it is impossible to ensure that water programs, policies, and investments are appropriate to meet all residential, commercial, industrial, agricultural, and environmental needs.

(d) CALFED's recent hearings on its draft environmental documents showed that there are widely disparate views on the role additional surface water storage should play in meeting the state's future water needs. Some argue that the state's water needs can all be met through water conservation, reuse, and other nonstructural methods. Others argue that to protect current and future uses of water, additional surface storage is essential.

(e) To reconcile these views, and to ensure the state makes appropriate investments in water programs, policies, and facilities, there needs to be a credible and objective assessment of the state's future water supply needs.

SEC. 2. Section 10004 of the Water Code is amended to read:

10004. (a) The plan for the orderly and coordinated control, protection, conservation, development, and utilization of the water resources of the state which is set forth and described in Bulletin No. 1 of the State Water Resources Board entitled "Water Resources of California," Bulletin No. 2 of the State Water Resources Board entitled, "Water Utilization and Requirements of California," and Bulletin No. 3 of the department entitled, "The California Water Plan," with any necessary amendments, supplements, and additions to the plan, shall be known as "The California Water Plan."

(b) (1) The department shall update The California Water Plan on or before December 31, 2003, and every five years thereafter. The department shall report the amendments, supplements, and additions included in the updates of The California Water Plan, together with a summary of the department's conclusions and recommendations, to the Legislature in the session in which the updated plan is issued.

(2) The department shall establish an advisory committee, comprised of representatives of agricultural and urban water suppliers, local government, business, production agriculture, and environmental interests, and other interested parties, to assist the department in the updating of The California Water Plan. The department shall consult with the advisory committee in carrying out this section. The department shall provide written notice of meetings of the advisory committee to any interested person or entity that request the notice. The meetings shall be open to the public.

(3) The department shall release a preliminary draft of The California Water Plan, as updated, upon request, to interested persons and entities throughout the state for their review and comments. The department shall provide these persons and entities

an opportunity to present written or oral comments on the preliminary draft. The department shall consider these comments in the preparation of the final publication of The California Water Plan, as updated.

SEC. 3. Section 10004.5 of the Water Code is amended to read:

10004.5. As part of the requirement of the department to update The California Water Plan pursuant to subdivision (b) of Section 10004, the department shall include in the plan a discussion of various strategies, including, but not limited to, those relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, and water transfers that may be pursued in order to meet the future water needs of the state. The department shall also include a discussion of the potential for alternative water pricing policies to change current and projected uses. The department shall include in the plan a discussion of the potential advantages and disadvantages of each strategy and an identification of all federal and state permits, approvals, or entitlements that are anticipated to be required in order to implement the various components of the strategy.

SEC. 4. Section 10004.6 is added to the Water Code, to read:

10004.6. (a) As part of updating The California Water Plan every five years pursuant to subdivision (b) of Section 10004, the department shall conduct a study to determine the amount of water needed to meet the state's future needs and to recommend programs, policies, and facilities to meet those needs.

(b) The department shall consult with the advisory committee established pursuant to subdivision (b) of Section 10004 in carrying out this section.

(c) On or before January 1, 2002, and one year prior to issuing each successive update to The California Water Plan, the department shall release a preliminary draft of the assumptions and other estimates upon which the study will be based, to interested persons and entities throughout the state for their review and comments. The department shall provide these persons and entities an opportunity to present written or oral comments on the preliminary draft. The department shall consider these documents when adopting the final assumptions and estimates for the study. For the purpose of carrying out this subdivision, the department shall release, at a minimum, assumptions and other estimates relating to all of the following:

(1) Basin hydrology, including annual rainfall, estimated unimpaired stream flow, depletions, and consumptive uses.

(2) Groundwater supplies, including estimates of sustainable yield, supplies necessary to recover overdraft basins, and supplies lost due to pollution and other groundwater contaminants.

(3) Current and projected land use patterns, including the mix of residential, commercial, industrial, agricultural, and undeveloped lands.



(4) Environmental water needs, including regulatory instream flow requirements, nonregulated instream uses, and water needs by wetlands, preserves, refuges, and other managed and unmanaged natural resource lands.

(5) Current and projected population.

(6) Current and projected water use for all of the following:

(A) Interior uses in a single-family dwelling.

(B) Exterior uses in a single-family dwelling.

(C) All uses in a multifamily dwelling.

(D) Commercial uses.

(E) Industrial uses.

(F) Parks and open spaces.

(7) Evapotranspiration rates for major crop types, including estimates of evaporative losses by irrigation practice and the extent to which evaporation reduces transpiration.

(8) Current and projected adoption of urban and agricultural conservation practices.

(9) Current and projected supplies of water provided by water recycling and reuse.

(d) The department shall include a discussion of the potential for alternative water pricing policies to change current and projected water uses identified pursuant to paragraph (6) of subdivision (c).

(e) Nothing in this section requires or prohibits the department from updating any data necessary to update The California Water Plan pursuant to subdivision (b) of Section 10004.

